

A

03/19/01

DATE OF DEPOSIT

TYPED NAME VINCENT DIAZ

SIGNED Vincent M. Di...

jc872 U.S. PTO  
09/812034  
03/19/01

**Class:**                      **Subclass:**

### Prior Application

**Examiner:**

**Art Unit:**

**Box PATENT APPLICATION FEE**  
Assistant Commissioner for Patents  
Washington, DC 20231

**Sir:**

This is a request for filing an

- Original  
X Continuation  
 — Divisional  
 — Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Stephen L. MAYO; Bassil I. DAHIYAT; D. Benjamin GORDON; Arthur STREET; Yaoying SU  
(Names of ALL Applicants)

for APPARATUS AND METHOD FOR AUTOMATED PROTEIN DESIGN  
(Title of Invention)

This   x   continuation        divisional        continuation-in-part  
claims priority to pending application Serial Nos. 09/127,926, filed on July 31, 1998; 60/043,464, filed on April 11, 1997; 60/054,678, filed on August 4, 1997; 60/061,097 filed on October 3, 1997; 09/058,459 filed on April 10, 1998 and 60/087,561 filed on June 1, 1998.

1. (a) ☐ Enclosed is a new application.  
(b) ☐ Enclosed is a continuation-in-part application.  
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.  
(b) ☒ Enclosed is a copy of the prior Declaration as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.  
(b) ☒ A Small Entity Affidavit is of record in the prior application.
4. ☒ The filing fee is calculated below:

**Claims as filed in the prior application, less any claims canceled by amendment below:**

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
<b>BASIC FEE</b>				<b>\$355</b>		<b>\$710</b>
TOTAL CLAIMS	40 - 20 =	20	× 9 =	180	× 18 =	\$
INDEP CLAIMS	4 - 3 =	1	× 40 =	40	× 80 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED <u>  X  </u> yes <u>  </u> no			+135 =	135	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	<b>\$710</b>	TOTAL	<b>\$</b>

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File No. 6353-6/RFT/RMS/RMK).
6. ☒ Our checks in the amount of \$ 710.00 are enclosed (\$395.00 & \$315.00).
7. ☒ Cancel in this application original claims 2-29 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☐ Amend the specification by inserting before the first line the sentence:  
--This is a ☐ continuation ☐ divisional ☐ continuation-in-part  
of application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
9. (a) ☒ Informal drawings are enclosed (14 sheets).  
(b) ☐ Formal drawings are enclosed.
10. (a) ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119/120.  
(b) ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
11. ☒ The prior application is assigned of record to The California Institute of Technology
12. ☒ The power of attorney in the prior application is to:  
Name: Robin M. Silva, Esq.  
Address: FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Four Embarcadero, Suite 2400  
San Francisco, CA 94111  
(a) ☒ The power appears in the original papers in the prior application.  
(b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c) ☐ A new power has been executed and is enclosed.  
(d) ☒ Address all future communications to:  
Robin M. Silva, Esq.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249
13. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/127,926 as originally filed on July 31, 1998.

Date: 3/19/01

Signature: \_\_\_\_\_

Renee M. Kosslak, #47,717  
for Robin M. Silva, Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

☒ Attorney or agent of record  
☐ Filed under Section 1.34(a)